

Applicant(s): David A. Colucci et al.
U.S.S.N.: 10/622,952

REMARKS

In response to the Office Action mailed January 26, 2007, Applicants respectfully request reconsideration. To further the prosecution of the application, claim 17 is amended, claims 1, 2 and 4-16 are canceled (claim 3 was canceled by way of a prior amendment), and new claims 18-21 are added. Accordingly, claims 17-21 are pending in the application with claims 17 and 18 being in independent form. No new matter is introduced by way of this amendment. For the reasons provided below, the claims as presented are believed to be in allowable condition.

In the Office Action, claim 14 is rejected under 35 U.S.C. § 112, second paragraph for being indefinite. Claims 1, 2, 4-6 and 9-14 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Li et al. (U.S. Patent Application Publication No. 2004/0078708 A1). Claims 7 and 16 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Li et al. in view of Wikipedia's definition of Uninterruptible Power Supply. Claim 8 is rejected under 35 U.S.C. § 103(a) as being unpatentable over Li et al. in view of an article entitled "Installing an Internal Modem." Claim 15 is rejected under 35 U.S.C. § 103(a) as being unpatentable over Li et al. in view of Habib et al. (U.S. Patent No. 5,825,346). Without acceding to the correctness of these rejections and without prejudice to pursue these claims in one or more continuation application, claims 1, 2 and 4-16 are canceled.

Claim 17 is rejected under 35 U.S.C. § 103(a) as being unpatentable over Li et al. in view of Hammond et al. (U.S. Patent Application Publication No. 2002/0138785 A1). The Examiner asserts, in part, that at the time of the invention, it would have been obvious to modify the installation guide disclosed in Li et al. such that the system is capable of assuming an error recovery is possible if the user does not click a "Finish" button and instead proceeds through the installation process. Applicants respectfully disagree.

Li et al. teach informing the user of a problem, such as an improper connection of a cable. There is no specific teaching in Li et al. that the user is notified, after discovering an error, of "whether a recovery from [the] error caused by a step which is not properly performed is possible, and, if recovery is possible, to provide one or more additional steps to correct the error" as set forth in amended claim 17. This step is not obvious in light of Li et al. The Examiner is making an improper leap to Applicants' invention that is not supported by any of the teachings

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disclosed Li et al. The provision of providing selectable options, such as “OK,” “FINISH,” “NEXT” and “BACK” as taught by Li et al. (*see* Li et al., paragraph no. [0037]), is not the same as Applicants’ interactive recovery system as set forth in amended claim 17. The Examiner is respectfully requested to provide a reference showing this recovery feature.

Additionally, the Examiner asserts that Hammond et al. teach a system that performs power supply monitoring, and, at the time of the invention, it would have been obvious to modify the modem installation guidance system of Li et al. with the ability to monitor the connectivity of an uninterruptible power supply (“UPS”) as taught by Hammond et al. in order to achieve Applicants’ recovery system as set forth in amended claim 17. Applicants respectfully disagree.

Hammond et al. teach a UPS power supply critical monitoring system having a monitoring program that listens over a network for information transmitted from the UPS. For example, the information may indicate that the UPS is in a critical state, such as a low battery, an expired battery or a loss of UPS communication with the network. There is no suggestion in Hammond et al. to provide the user of an interactive recovery system for guiding the user through performance of a procedure. Hammond et al. are only concerned about informing the user or the operator of a critical condition and recording the critical condition. *See* Hammond et al., paragraph no. [0012], for example. Hammond et al. do not teach recovery from the critical condition, much less Applicants’ claimed programmed processor designed to enable the user or operator to recover from the critical condition by means of a guidance system as set forth in amended claim 17.

New claims 18-21 are directed to a method of guiding a user through performance of a procedure corresponding to an uninterruptible power supply, and are submitted as being patentable over the references of record for the same reasons given for claim 17.

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CONCLUSION

Based on the foregoing, the application is believed to be in allowable condition and a notice to that effect is respectfully requested. If the Examiner has any questions regarding the application, the Examiner is invited to contact the Applicant's Attorney at the number provided below.

Respectfully submitted,

/Keith F. Noe/

Keith F. Noe, Esq. (Reg. No. 34,686)
LOWRIE, LANDO & ANASTASI, LLP
Riverfront Office Park
One Main Street, Cambridge, MA 02142
Tel.: (617) 395-7039
Fax: (617) 395-7070
Attorney for Applicants

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